

Before the
FEDERAL COMMUNICATION COMMISSION
Washington, DC 20554

In the Matter of

Innovation in the Broadcast Television
Bands: Allocations, Channel Sharing
and Improvements to VHF

ET Docket No. 10-235

COMMENTS of
INTERCOLLEGIATE BROADCASTING SYSTEM

Intercollegiate Broadcasting System (IBS) hereby responds to the Commission's NPRM in the captioned docket (FCC 10-196). Since before its incorporation as a non-profit corporation incorporated in Rhode Island in 1941, IBS has represented college and high school broadcasters. With a membership over 1100, IBS is currently the largest national organization of such broadcasters, Internet originators, and associated entities.

I. Focus of These Comments

The FCC has instituted this rulemaking proceeding proposing very significant changes in how existing blocks of radio frequency spectrum space are to be reallocated for future use. This proposal comes in the wake of the reassignment of digital broadcast television facilities to a smaller and more efficient portion of the radio spectrum. IBS' comments here focus on the reallocation of the top 600 KHz of the 6 MHz previously

assigned to analog VHF television Channel 6 and the potential for that spectrum space to accommodate community and low-power educational FM broadcast stations.

II. Unique Spectrum Potential

The Commission has an opportunity here to expand the FM broadcast band slightly by adding two new channels, 87.5 and 87.7 MHz, and easing the use restrictions currently imposed on the existing FM Channel 200, 87.9 MHz. This is truly a remarkable opportunity, since virtually all digitally tuned FM car and home receivers are already designed to receive 87.9 MHz, and most will receive 87.7 and 87.5 MHz as well. As a result, broadcasters on these frequencies would enjoy near-parity in terms of receiver availability with those stations operating on the present hundred channels in the FM broadcast band. No other portion of the radio spectrum offers this unique opportunity.

III. Best Use

We propose that the three new channels proposed for FM broadcast use ("The New Block") be subject to the following legal and technical restrictions:

1. The Block should be reserved for non-commercial use, just as the twenty channels above it are, and be subject to the same legal rules of use, ownership, and fundraising as set forth in 47 C.F.R. § 73.503. In most communities the FM channels reserved for non-commercial educational stations, 88.1 to 91.9 MHz, were long ago exhausted, thereby barring significant numbers of educational broadcasters from providing educational programs to listeners.

2. All facilities licensed in The New Block would be permitted 10 watts effective radiated power from a circularly polarized antenna located no more than 100

feet (33 meters) above ground level. Allocating these channels for use by colleges, school districts, smaller communities, and even neighborhoods would enable construction of a large number of smaller stations fully capable of providing truly local service to local communities. See Act, § 307(b). Without these appropriate coverage limitations on users of the new spectrum, it's likely that a single more powerful station could and would occupy or foreclose all of the new spectrum space, thereby offering listeners a single regional voice instead of additional local voices.

IV. Suggested Allocation Rules

Channels in The New Block would be subject to the following, relatively simple, allocation rules.

1. Effective radiated power of 10 watts into a circularly polarized antenna located no more than 33 meters above ground level.

2. Spacing to other channels in The New Block

Co-Channel: 16 kilometers (10 miles)

First Adjacent Channel: 8 kilometers (5 miles)

Second Adjacent Channel: 4 kilometers (2.5 miles)

Stations in The New Block would be protected against interference from each other only by the spacing restrictions. Predicted or measured service and interference contours would not be considered in this context.

3. Stations in The New Block would be licensed without regard to other FM assignments, except that they should be required to protect the 60 dbu service contour of existing facilities on Channels 201, 202, and 203 based on the following desired-to-undesired ratios:

Co-Channel:	20:1	(40 dbu interference contour)
First Adjacent Channel:	2:1	(54 dbu interference contour)
Second Adjacent Channel:	1:100	(100 dbu interference contour)
Third Adjacent Channel:	1:100	(100 dbu interference contour)

FM Translator Stations on frequencies outside of The New Block would continue to be considered secondary services and not protected against interference from new stations operating on frequencies within The New Block.

A station in The New Block would be permitted to demonstrate that its 100 dbu (or greater if the ambient field of the protected existing exceeds 60 dbu) interference contour did not touch the ground or reach an inhabited area. Such a showing would demonstrate compatibility with the allocation rules in that no listeners to the existing affected station would receive predicted interference. There appears to be only one FCC-licensed FM station on Channel 200 which would be protected based on the interference ratios suggested here.

4. Stations in The New Block would be afforded primary status with the 60 dbu service contour protected against first adjacent channel interference from existing stations and translators on Channel 201. Predicted interference from existing stations on second or third adjacent channels could be waived for a station seeking a new allocation in The New Block. However a station choosing to waive second or third adjacent channel interference would no longer be protected against second or third adjacent channel stations on Channels 201 through 203 seeking changes or improvements to their facilities.

V. Existing Television Facilities

Existing television stations and translators on Channel 6 not relocated to other frequencies by the Commission would continue to be protected against interference from new stations licensed in The New Block based on appropriate interference ratios suggested by the Commission's engineering staff as part of this proceeding. However, once a new FM station were licensed in The New Block, that station would be accorded primary status with regard to future television facilities on Channel 6.

VI. Benefits to the Public

If The Commission adopts the proposed protocol, IBS estimates that more than a thousand new local broadcast voices could be added across the country. Virtually every city and urban area without an existing Channel 6 television facility could expect two or more new FM allocations in The New Block. By way of example, in the Boston area alone at least three new local facilities could be established within a ten mile radius of City Hall. Similar opportunities exist within most of our major cities not served by a Channel 6 television facility. As proposed by IBS, the three new FM channels will make it possible for hundreds of colleges, high schools, and community groups to establish local radio facilities with absolutely no detriment to the coverage of stations already licensed in the non-commercial FM band. Americans already own an estimated two hundred million radios capable of receiving the FM channels proposed here for local use; however, at present, there is no radio programming authorized on any of those

frequencies for listeners to hear. The Commission adopting IBS' proposal could improve that lack, and IBS hopes that it will.

Respectfully submitted,

INTERCOLLEGIATE BROADCASTING SYSTEM

367 Windsor Highway
New Windsor, New York 12553-7900
(845) 565-0003

by



Frederick J. Kass
Its Chief Administrative Officer



William Malone
Miller & Van Eaton, P.L.L.C.
1155 Connecticut Avenue N.W., Suite 1000
Washington, DC 20036
(202) 785-0600

March 17, 2011

4122\03\00158702.DOC